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Grand Jury Probe of Tafoya "90 Percent Complete"

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A grand jury investigation of former Green Beret Eugene Tafoya, convicted of shooting a Libyan dissident, is "90 percent complete," a federal prosecutor said Monday.

The secret investigation, which began in April, focuses on possible firearms and income tax violations by Tafoya, according to documents filed Monday in federal court.

Prosecutors sought Monday to learn how much Tafoya had paid the attorneys who defended him in his trial last winter for the 1980 shooting of Libyan graduate student Faisal Zagallai.

"The investigation is 90 percent complete," said Jerry Rafferty, who is handling the case for the U.S. Attorney's office. "The only matter left is ... the issue of these (attorneys') fees."

Federal public defender John Richelano, who is representing Tafoya, argued Monday before the U.S. District Judge Sherman Finesilver that Tafoya should not be forced to reveal how much he paid his attorneys because it would violate the Fifth Amendment protection of confidentiality between a lawyer and client.

Finesilver asked both sides to present more evidence Wednesday and said he would rule sometime next week on a subpoena of Tafoya's former attorneys, Walter Gerash and Scott Robinson.

Monday's proceedings provided a glimpse into the secret investigation of Tafoya, under way in both Colorado and New Mexico.

Tafoya was convicted of assault and conspiracy in Larimer County District Court and sentenced in January to two years in jail. The conviction is under appeal, and he remains free on \$10,000 bond.

Zagallai was blinded in one eye in the shooting.

Tafoya says he thought he was under orders from the CIA only to "rough up" Zagallai and shot the Libyan in self-defense during a struggle Oct. 14, 1980.

But prosecutors alleged Tafoya was hired by Libyan strongman Moammar Khadafy to kill Zagallai, an ardent critic of Khadafy's rule. Zagallai was blinded in one eye in the shooting.

Tafoya testified he had worked in Libya for ex-CIA agent Edwin Wilson, who was convicted last week in Washington on charges of smuggling arms to Libyan officials in 1979.

Wilson also is a target of a federal grand jury investigation in Colorado, although Rafferty would not comment on any possible link between that investigation and the one involving Tafoya.